

Justin Paul
J10 Planning,
1-3 Eastgate St,
Grosvenor Precinct,
Chester,
CH1 1LQ



Kingdom Ecology
7 Speke Road • Woolton
Liverpool • L25 8QA
• • •
077 998 44249
enquiries@kingdomecology.com
www.kingdomecology.com

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Dear Justin,

Land at Oak Road, Wrexham Industrial Estate- NRW and WCBC Ecology Comments Response

I have looked over the latest ecology comments from NRW and WCBC provided in July 2020. To address these comments, we have made a number of changes to previous documents including:-

- Amendments to Outline Habitat Mitigation Plan including a new design
- Amendments to the Newt Dispersal Note
- Amendments to the Draft Heads of Terms doe S106 UU

Each of NRW and WCBC's comments are addressed below which includes summaries of the changes made to the three documents. For full changes please see enclosed Documents '*Land at Oak Road Wrexham Industrial Estate- Outline Habitat Management Plan*, Document Reference K1950.01 Version 3'; '*The Oaks Wrexham Ind Est- Ecology Addendum GCN Dispersal Corridors*, Document Reference KE2020/0301'; plus the amended '*S106 Unilateral Undertaking : Heads of Terms Version 2*'. All of these documents are dated 13th August 2020.

With regards to WCBC comments and concerns regarding ecology, these are shown below in blue with my responses provided in red.

[WCBC Ecology Comments](#)

- 1) Location of attenuation ponds – the ponds seem to be located within the ecological area which is a reduction in area and results in future problems regarding access and maintenance. Attenuation ponds are subject to regular maintenance and their design is often at odds with those designed for wildlife.



There is no other location to situate the ponds on account of the candidate SAM and the development layout. The attenuation ponds would be designed in detail with a drainage consultant and an ecologist so that both needs can be achieved.

The land around the attenuation ponds and any infrastructure feeding the ponds would need to remain under the ownership of the Management Company servicing the Oaks site and occasional maintenance works would be required. This would result in some occasional disturbance during maintenance but the process and timing for this could be agreed with the Nature Conservation Body who are managing the Ecology Area of the site to limit its impact.

2) The management plan is lacking in monitoring details and requires a mechanism of adapting the management proposals if those prescribed are not proving to be successful. The monitoring needs to be far wider than GCN and butterflies. There are several species of red databook and priority invertebrate species recorded on site. The monitoring plan should include engagement with national experts to provide management advice for specific species recorded within the site boundary. There is currently little detail on the required habitat patch sizes and the relative abundance of various plant species needed to mitigate the loss of habitat area. The whole site is a designated Local Wildlife Site, as such there must be overwhelming evidence that the habitats and species at risk will be improved as a result of the proposed development.

An updated Outline Habitat Management Plan has been produced in conjunction with Andy Jukes of Conops Entomological Consultants. This includes a much enlarged area of open grassland habitat. The extensive revisions include further detail on proposed habitat patch coverage at the site, consideration of notable invertebrate species recorded at the site, further detail on habitat management prescriptions, further detail on monitoring and an additional consideration of the likely success of the mitigation proposals. These amendments are located within Sections 2.2.3, 2.2.4, 2.3.6 and 2.4 of the updated Habitat Management Plan.

A detailed Conservation Plan for the site would be produced at the reserved matters stage. As recommended by the LPA this can be produced in consultation with national invertebrate experts and relevant Nature Conservation Bodies. The Conservation Plan would include further detail on monitoring and include a requirement for a compliance audit which would include key performance indicators. The KPI's would include detail on the target habitat patch sizes and the target abundance of various plant species within habitat patches. As recommended in the outline habitat plan, the management of the site would be an iterative process which would be informed by the monitoring works. Where adjustments to the management plans are needed, these would be identified and implemented on a frequent basis through the annual monitoring plan report.



3) Costing. The management plan is not costed. The proposed management is extremely costly, and experience with other large sites has shown us that an additional contingency fund is required for unforeseen problems. Management of brownfield sites is somewhat trial and error. It is not clear who will take on these ongoing management and monitoring costs. The success of any mitigation scheme is directly a result of proper long-term financing and good management. Presently there is insufficient information on the viability of the whole scheme, this directly impacts on the ability to create and manage the mitigation area in perpetuity. I also have concerns as to when the management of the mitigation will begin. If there is no user for the site it is likely that any commitment will be indefinitely delayed.

The detail of the Conservation Plan for the site would be produced at the reserved matters stage and would be costed then.

The draft HOTS document provides reassurance as to how this will be funded (including contingency), by who and when the works will be started (on development of 25% of the development area) .

The costs of management of the site (including any contingency) would be provided upfront to the Nature Conservation Body who will be managing the site. This would include sufficient funds to cover the initial 25 years of habitat management/monitoring with further funds to be obtained through rent from the tenants at the site.

4) Need. The Employment Land Study carried out as part of the LDP process indicated that businesses would prefer to be located in the north of the Industrial Estate where there is improved access and visibility. This area of land which has both environmental and historical value would be better served as mitigation for development elsewhere on the industrial estate where developers are struggling to create such habitats in less suitable areas.

I have no comment on the above as this is more of a spatial planning consideration.

NRW Ecology Comments

With regards to ecology, NRW recommends that Planning Conditions are attached with regards to provision of a site species/habitat Conservation Plan prior to the start of development. This is a standard condition and so considered appropriate for the development.

With regards to NRW's further comments and concerns these are shown below. Several of these comments are addressed already within the WCBC response above.

In response to the submission of updated Ecology information regarding Modelling evidence in respect of potential impacts on great crested newt connectivity and dispersal provided in May 2020, NRW state that:-



In our view the amended design and layout together with the submitted report addresses previously stated requirements for modelling.

However, we advise that the report is updated to incorporate and consider the following:

- (1) Outcome of multitaxa modelling undertaken by ARC to inform the Wrexham Industrial Estate Sustainable Landscapes Project; and
- (2) Existing GCN Conservation Action (e.g. at Ash Road).

The amended report should be resubmitted for our consideration.

An updated 'Ecology Addendum- GCN Dispersal Corridors' has been produced with consideration of the above.

A detailed Species/ Habitat Conservation Plan can be subject to condition. However, a certain level of the detail may be required to inform any planning obligation agreement (Section 106 Agreement).

See WCBC Comment 2 above. An updated 'Outline Habitat Mitigation Plan' has been produced with further detail, specifically with regards to management and creation of invertebrate habitat at the site. This includes targets for habitat coverage based upon a percentage of the overall mitigation areas.

We advise that a Head of Terms document is prepared that can be used to inform any subsequent planning obligation agreement.

A revised HOTS document has been provided.

Location of attenuation ponds

We note comments from the LPA ecologist regarding the location of attenuation ponds and concur that there could be issues in respect of the attenuation water features. Further details are therefore advocated.

See WCBC Comment 1 above.

Monitoring Details

We note comments from the LPA ecologist regarding monitoring details and the requirement for a mechanism of adapting the management proposals if those prescribed are not proving to be successful. A detailed management plan will be required that addresses these points. Furthermore, depending on the proposed method of funding, a detailed management plan may be required for the purposes of informing any planning obligation agreement. We suggest the LPA agrees the scope of the detailed management plan.



Management Plan Costings

We note the LPA ecologist's comments regarding costings. We agree that depending on the proposed funding model a detailed costed plan may be required for the purposes of informing any planning obligation agreement.

See WCBC Comment 2 above.

I hope that the above comments and the updated documents address all of WCBC and NRW's outstanding comments and concerns for the development.

If you have any queries, then please get in touch.

Yours sincerely

Richard Roe

Principal Ecologist